UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA SOUTHERN DIVISION

AUG 2 8 2014



Pending are Plaintiffs' motion for a preliminary injunction (doc. 9) and Defendant's motion to dismiss (doc. 11). The issues have been fully briefed and a hearing was held on the motions on Thursday, August 28, 2014. For the reasons given orally at the August 28, 2014 hearing,

IT IS ORDERED:

- 1. That Plaintiff's motion for a preliminary injunction is denied.
- 2. That Defendant's motion to dismiss is granted, with prejudice.

Dated this 20day of August, 2014.

ATTEST:

JOSEPH HAAS, CLERK

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United States District Judge